

AB:ADW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

MARVIN DUMONT,

Defendant.

-----X

AFFIDAVIT IN SUPPORT OF
REMOVAL TO THE EASTERN
DISTRICT OF VIRGINIA

(Fed. R. Crim. P. 5)

No. 19-MJ-730

EASTERN DISTRICT OF NEW YORK, SS:

Frank P. Cleri, being duly sworn, deposes and states that he is a Detective with the New York City Police Department ("NYPD"), duly appointed according to law and acting as such.

Upon information and belief, on or about June 6, 2019, a warrant for the arrest of the defendant MARVIN DUMONT was issued by the United States District Court for the Eastern District of Virginia, in connection with a felony charged in that District.

The source of your deponent's information and the grounds for his belief are as follows:¹

1. Upon information and belief, on or about June 6, 2019, a warrant for the arrest of the defendant MARVIN DUMONT was issued by the United States District Court for the Eastern District of Virginia, in connection with a felony complaint charging the

¹ Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all of the relevant facts and circumstances of which I am aware.

defendant with Conspiracy to Commit Wire Fraud, in violation of Title 18, United States Code, Section 1349. A true and correct copy of the arrest warrant is attached hereto as Exhibit A. A true and correct copy of the felony complaint charging defendant MARVIN DUMONT with Conspiracy to Commit Wire Fraud, in violation of Title 18, United States Code, Section 1349, is attached as Exhibit B.

2. On August 12, 2019, an NYPD law enforcement officer arrested the defendant MARVIN DUMONT, pursuant to the aforementioned arrest warrant, at 345 Adams Street in Brooklyn, an office of the New York City Probation Department, where the defendant had a scheduled meeting. Prior to taking defendant MARVIN DUMONT into custody, the arresting officer confirmed that the defendant matched the description of the individual pictured and described in materials relating to the outstanding arrest warrant. Defendant MARVIN DUMONT was subsequently transported to and detained at an NYPD Central Booking facility in Brooklyn, New York.

3. On August 14, 2019, I traveled to Brooklyn Central Booking and took the defendant MARVIN DUMONT into custody. Your deponent compared the (1) photograph and physical description in NYPD reports detailing the biographical information and August 12 arrest of defendant MARVIN DUMONT, and (2) a photograph of defendant MARVIN DUMONT obtained from law enforcement authorities in the Eastern District of Virginia, to the appearance of the individual located at Central Booking and determined that the individual is the defendant in said reports and photographs. Further, defendant MARVIN DUMONT identified himself to your deponent as "Marvin Dumont," and provided as his home address an address known to belong to MARVIN DUMONT. The defendant MARVIN DUMONT also provided me with the correct date of birth and Social Security Number of the

individual wanted in the Eastern District of Virginia. All of the pedigree information obtained from the defendant matched the information that I was provided in connection with the arrest warrant issued by the United States District Court for the Eastern District of Virginia. Your deponent also spoke with law enforcement authorities in the Eastern District of Virginia to confirm that MARVIN DUMONT was indeed the defendant named in the arrest warrant and that the arrest warrant remained outstanding. Based on the foregoing, I believe that the defendant is the person named in the arrest warrant and is the individual wanted in the Eastern District of Virginia.

WHEREFORE, your deponent respectfully requests that the defendant MARVIN DUMONT be removed to the Eastern District of Virginia so that he may be dealt with according to law.



Frank P. Cleri
Detective
New York City Police Department

Sworn to before me this
14th day of August, 2019

/s/ VMS

THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

United States of America
v.

MARVIN J. DUMONT,

Defendant

Case No. 1:19-MJ-262

UNDER SEAL

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

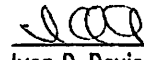
(name of person to be arrested) MARVIN J. DUMONT,

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to Commit Wire Fraud, in Violation of Title 18, United States Code, Section 1349.

Date: 6 Jun 19
 /s/ _____
 Ivan D. Davis
 United States Magistrate Judge
City and state: Alexandria, Virginia
 The Honorable Ivan D. Davis
 Printed name and title
INFORMATION**COPY ONLY**
 This warrant was received on (date) _____
 at (city and state) _____

The person was arrested on (date) _____

Date: _____

**NOTICE: BEFORE ARREST, VALIDATE
 THROUGH NCIC. ORIGINAL
 HELD BY U.S. MARSHAL.**

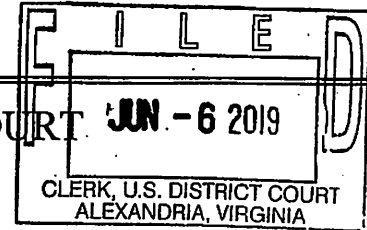
Arresting officer's signature _____

Printed name and title _____

EXHIBIT B

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia



United States of America
v.

MARVIN J. DUMONT,

Defendant(s)

Case No. 1:19-MJ-262

UNDER SEAL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Oct. 2016 through at least Sept. 2018 in the county of Arlington and elsewhere in the
Eastern District of Virginia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1349

Conspiracy to Commit Wire Fraud

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Reviewed by AUSA/SAUSA:

AUSA Alexander P. Berrang/AUSA Laura Fong

Complainant's signature

FBI Task Force Officer John Bamford

Printed name and title

Sworn to before me and signed in my presence.

Date: 6 Jun 19

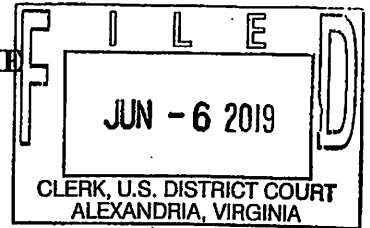
City and state: Alexandria, Virginia

/s/

Ivan D. Davis
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

No. 1:19-MJ-262

v.

UNDER SEAL

MARVIN J. DUMONT,

Defendant.

**AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, John Bamford, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a police officer with the Arlington County Police Department, which is located in northern Virginia, and have been so employed for 10 years. Currently I am assigned as a Task Force Officer with the Federal Bureau of Investigation, and am assigned to the Cyber Crime Squad of the Washington Field Office.

2. In this role, I investigate computer-related crimes. As such, I have participated in numerous investigations involving computer and high-technology-related crimes including computer intrusions, online extortion, online threats, Internet fraud, credit card fraud, and bank fraud. In the course of conducting or participating in criminal investigations, I have been involved in the following: interviewing and debriefing witnesses and informants; conducting physical surveillance; tracing and analyzing Internet Protocol (IP) addresses; tracing and analyzing financial transactions; analyzing telephone pen registers; collecting and analyzing evidence; and preparing and executing search warrants. I have participated in the investigation of financial crimes, such as wire fraud and money laundering, and in cases involving fraudulent

activity in connection with computers and email.

3. I have received organizational-sponsored computer training as well as computer training at the SANS institute. I also have received training in the area of computer security and network administration.

4. The facts and information contained in this Affidavit are based upon my training and experience, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. This Affidavit contains only the information necessary to support probable cause, and it is not intended to include each and every fact and matter observed by me or known to the government.

5. This Affidavit is submitted in support of a Criminal Complaint and Arrest Warrant charging **MARVIN J. DUMONT** with Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 1349. As set forth below, based on the government's investigation, there is probable cause to believe that, within the Eastern District of Virginia and elsewhere, **DUMONT** and at least one other individual knowingly and voluntarily joined together with each other and agreed to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice transmitted and caused to be transmitted by wire in interstate commerce any writings, signs, signals, pictures, and sounds.

SUMMARY OF PROBABLE CAUSE

6. Based on the facts detailed below, I submit that there is probable cause to believe that from at least in or around October 2016 through at least September 2018, **DUMONT** has worked with other individuals to enrich themselves by obtaining and using stolen payment card

information, such as the 15- to 18-digit card numbers typically found on the face of a physical credit or debit card; a card's expiration date; or a card's security code.

7. One of the individuals with whom **DUMONT** has conspired is a person who will be referred to herein as "Co-Conspirator 1." In March 2019, Co-Conspirator 1 entered a guilty plea before the Honorable Liam O'Grady, a U.S. District Court Judge in the Eastern District of Virginia, to one count of Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 1349, one count of Wire Fraud, in violation of 18 U.S.C. § 1343, and one count of Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A. As part of his guilty plea, Co-Conspirator 1 entered into a stipulated Statement of Facts in which he agreed that the United States would have proved beyond a reasonable doubt at trial with admissible and credible evidence that, among other things, he (a) controlled the email addresses jordanlaguerre29@gmail.com and bentracks123@gmail.com; (b) from at least October 2016 through at least September 2018, he worked together with others to enrich themselves by obtaining and using stolen payment card information; and (c) from at least June 6, 2018, through at least July 11, 2018, he used the contactless payment feature of a cellular telephone to make purchases with stolen payment card information at Best Buy and Apple retail stores located in the Eastern District of Virginia – for example, a Best Buy store in Arlington, Virginia – and elsewhere.

8. As explained below, law enforcement's investigation has established probable cause to believe that **DUMONT** and Co-Conspirator 1 have exchanged stolen payment card information, and probable cause to believe that **DUMONT** has engaged in at least one fraudulent purchase at a retail store in the Eastern District of Virginia in the same manner as Co-Conspirator 1.

A. DUMONT'S EMAIL COMMUNICATIONS WITH CO-CONSPIRATOR 1

9. On or about December 7, 2018, U.S. Magistrate Judge Michael S. Nachmanoff of the Eastern District of Virginia issued a warrant authorizing the search and seizure of various records maintained by Google relating to, among other Google accounts, jordanlaguerre29@gmail.com and bentracks123@gmail.com. Law enforcement's subsequent review of the records provided by Google pursuant to that warrant show that on or about October 27, 2016, Co-Conspirator 1 sent what appear to be numerous stolen payment card numbers to sanotrah@gmail.com, which as explained below is an email address that law enforcement has concluded is controlled by **DUMONT**. Specifically, on or about October 27, 2016, bentracks123@gmail.com sent an email to sanotrah@gmail.com with the subject line "Work." The email contained what appears to be numerous stolen payment card numbers. Later that same day, bentracks123@gmail.com sent another email to sanotrah@gmail.com. This email had the subject line of "Work 2" and contained what appears to be numerous stolen payment card numbers.

10. On or about January 24, 2019, U.S. Magistrate Judge Theresa C. Buchanan of the Eastern District of Virginia issued a warrant authorizing the search and seizure of various records maintained by Google relating to sanotrah@gmail.com, among other Google accounts. Law enforcement's review of the records produced by Google provides reason to believe that **DUMONT** controls sanotrah@gmail.com. This is so for at least the following reasons:¹

¹ Law enforcement did identify within the sanotrah@gmail.com account certain documents that included variations of **DUMONT**'s last name, such as "Marvin Dumhoe." Yet, the majority of documents found within the account spell **DUMONT**'s name correctly. Furthermore, even some of the documents with seeming misspellings contained other information linked to **DUMONT**, such as the last four digits of **DUMONT**'s social security number.

a. The subscriber records for sanotrah@gmail.com lists the name of the account owner as "Marvin Dumont." In addition, a phone number ending in 4788 (hereinafter, the "4788 Number") is tied to the account.

b. On or about February 2, 2012, an email was sent from sanotrah@gmail.com to sanotrah@gmail.com with the subject line "Me." This email contained an attached image of a person who appears to be **DUMONT**.²

c. On or about January 27, 2015, an email was sent from noreply@mail.instagram.com to sanotrah@gmail.com regarding an Instagram account with the moniker "brookdadawn." This Instagram account is publically accessible and a review of the account indicates that "brookdadawn" can be contacted at sanotrah@yahoo.com. In addition, on or about August 17, 2015, "brookdadawn" was used to post a photograph of a plane ticket for a flight from Richmond to Newark-Liberty International. The ticket lists the passenger as "Dumont/MarvinJ." It appears that "brookdadawn" was used to post the following comment on Instagram about the picture: "I know my name is up there but fuck it."

d. On or about July 19, 2016, an email was sent from noreply@dmv.ny.gov to sanotrah@gmail.com with the subject line of "Confirmation- DMV Transaction Completed." The body of the email stated that a ticket payment had been processed and indicated that the payment card that had been used was in the name of "Marvin Dumont."

e. On or about October 23, 2017, an email was sent from policyholdersupport_r1@geicomail.com to sanotrah@gmail.com with the subject line of "The

² I am familiar with **DUMONT**'s physical characteristics from my review of pictures found within sanotrah@gmail.com and other social media accounts, along with photographs of **DUMONT** provided by law enforcement with the New York City Police Department.

Geico documents you requested.” Within the body of the email was a PDF attachment of an insurance card for “Marvin J. Dumont.”

f. On or about January 1, 2019, an email was sent from sanotrah@gmail.com to bienainme.ivle@gmail.com with the subject line “Hubby.” Attached to the email was a photograph of an earnings statement issued by Express Furniture Warehouse. The earnings statement included, among other things, an employee name of “Marvin Dumont.”

11. A subsequent review of the records provided by Google in response to the January 24, 2019 warrant revealed that sanotrah@gmail.com has sent or received what appears to be at least 40,000 stolen payment card numbers, examples of which are provided below:

a. On or about September 2, 2016, an email was sent from sanotrah@gmail.com to jamesbest881988@gmail.com containing what appears to be a payment card number.

b. On or about July 7, 2017, an email was sent from joeypierre460@gmail.com to sanotrah@gmail.com containing what appears to be multiple payment card numbers. Two days later, on or about July 9, 2017, sanotrah@gmail.com sent a blank reply back to this email.

c. On or about September 27, 2018, an email was sent from boookfar@gmail.com to sanotrah@gmail.com containing what appear to be multiple payment card numbers.

d. On or about October 9, 2018, an email was sent from the account of boookfar@gmail.com to sanotrah@gmail.com containing what appear to be multiple payment card numbers.

B. DUMONT'S FRAUDULENT CONDUCT ON JUNE 29, 2018

12. Records obtained from Best Buy show that on or about June 29, 2018, an American Express card ending in 1002 (hereinafter, the "1002 Card") was fraudulently used to make at least two fraudulent purchases at Best Buy retail stores located in Virginia Beach, Virginia, which is within the Eastern District of Virginia. As explained below, there is probable cause to believe that Co-Conspirator 1 made one of the purchases and **DUMONT** made the other.

13. Co-Conspirator 1's fraudulent purchase with the 1002 Card occurred at a Best Buy retail store located at 3334 Princess Anne Road in the amount of \$6,001.94. The reason to believe that Co-Conspirator 1 made this purchase is based on records provided by Best Buy. Specifically, those records show that a loyalty card number was provided in connection with the transaction, which resulted in the receipt for the transaction stating, in relevant part, "[Co-Conspirator 1], Thanks for shopping at Best Buy today!"

14. Records provided by Best Buy further show that on or about June 29, 2018, the 1002 Card was used to make another fraudulent purchase in the amount of \$4,736.34 at a Best Buy retail store located at 217 Independence Avenue in Virginia Beach, Virginia. A Best Buy loyalty card number also was provided during the course of this transaction, albeit a different number than the one described above. Markedly, the name associated with this loyalty card number was "Dawn Chews" and the associated email was dawnchews@gmail.com. There is reason to believe that **DUMONT** uses the aliases "Dawn Chews" and "Dawn" and is the person who made this purchase for at least the following reasons:

a. The aforementioned sanotrah@gmail.com records provided by Google show that a particular Samsung cellular phone had been used to access both sanotrah@gmail.com and chewsdawn@gmail.com, which is similar to dawnchews@gmail.com.

b. On or about February 22, 2018, an email was sent from sanotrah@gmail.com to kingbonitobr@icloud.com with the following subject line: "It's dawn hit me up [4788 Number]."

c. Records obtained from Apple show that sanotrah@gmail.com is linked to two different Apple accounts. Specifically, on or about September 2, 2013, an Apple account was created in the name of "Marvin Dumont" and sanotrah@gmail.com is linked to that Apple account. In addition, on or about January 7, 2015, an Apple account in the name of "Dawn Chew" was created and sanotrah@gmail.com also is linked to that account.

d. Surveillance footage obtained from the Best Buy at 217 Independence Avenue depict a person engaging in the fraudulent transaction. This person has the same general build as DUMONT, although the face of the individual is too blurry to make an exact determination of identity.

15. Law enforcement has confirmed that the cardholder associated with the 1002 Card, H.C., did not make either of the aforementioned June 29, 2018 purchases, nor authorized anyone else to make these purchases. In addition, I know from information provided by American Express that a contactless payment made at a retail store located within the Eastern District of Virginia will cause a wire to be transmitted to American Express's servers located in Arizona.

C. DUMONT'S MESSAGES WITH CO-CONSPIRATOR 1

16. On or about September 5, 2018, police in Henrico County received information about a stolen payment card being used to pay for a room at a hotel located in Richmond, Virginia, which is within the Eastern District of Virginia. Law enforcement subsequently responded to the hotel, encountered and arrested Co-Conspirator 1 following a car stop, and seized a laptop and three cellular phones, among other things, found within the car. Law enforcement also, pursuant to two search warrants issued by Commonwealth of Virginia magistrates, searched the hotel room that Co-Conspirator 1 had reserved and seized a laptop and two cellular telephones.

17. On or about October 11, 2018, Magistrate Judge Theresa Buchanan issued a federal search warrant for the devices seized by Henrico County police in September 2018 and now in the custody of the FBI, including a Samsung Galaxy S9 cellular telephone. Messages found within the Samsung cellular telephone show a number of communications in the time period of approximately January to August 2018 between Co-Conspirator 1 and contacts with the word "dawn" in their name, including "Dawndawn," "Dawn Chews," and "Dawn." Examples of these communications are noted below:

a. On or about January 29, 2018, Co-Conspirator 1 sent a series of messages via ICQ, a mobile messaging platform, to "Dawndawn" containing what appears to be stolen payment card numbers.

b. On or about February 15, 2018, Dawndawn sent a message via ICQ to Co-Conspirator 1 that contained what appears to be a payment card number, as well as the name and address of the card's accountholder.

c. On or about February 19, 2018, Dawndawn sent a message via ICQ to Co-Conspirator 1 that contained what appears to be a payment card number.

d. On or about July 19, 2018, Co-Conspirator 1 sent a message via Telegram, a mobile messaging platform, to "Dawn Chews" that included what appears to be a payment card number, as well as the name and address of the card's accountholder.

18. It is reasonable to conclude that Co-Conspirator 1 was communicating with **DUMONT** for at least the following reasons:

a. As explained earlier, there is reason to believe that **DUMONT** has used the aliases "Dawn Chews" and "Dawn."

b. Furthermore, "brookdadawn" Instagram includes what appear to be posts designed to promote musical performances by **DUMONT**, some of which indicate his stage name is "Dawn Dawn."

c. In addition, the "Dawn" contact found within the Samsung cellular telephone lists the phone number for that contact as the 4788 Number, which as discussed above is the phone number associated with the subscriber record for sanotrah@gmail.com.

D. DUMONT'S FRAUDULENT HOTEL RESERVATION

19. Based on information provided by a law enforcement officer with the Chesterfield County Police Department (CCPD), I have learned that on or about January 3, 2019, CCPD responded to a hotel at 8260 Midlothian Turnpike in Chesterfield, Virginia, which is within the Eastern District of Virginia, in response to a report of a fraudulently utilized payment card.

20. CCPD thereafter learned that an individual had tried to register for a hotel room by providing a physical payment card that appeared to be a Discover card but which had a magnetic strip encoded with a Navy Federal Credit Union payment card ending in 0581

(hereinafter, "Card 0581"). Markedly, Card 0581 was a card number sent via email on or about September 27, 2018, from boookfar@gmail.com to sanotrah@gmail.com, as described above. This individual identified himself as **DUMONT** and provided identification reflecting his identity as being **DUMONT**.

21. CCPD ultimately obtained warrants for **DUMONT**, charging him with Credit Card Fraud, in violation of Virginia Code § 18.2-195, and Credit Card Theft, in violation of Virginia Code § 19.2-192. On or about April 30, 2019, **DUMONT** was arrested on the aforementioned warrants after he contacted the Petersburg Bureau of Police to report that his vehicle had been stolen. In communicating with police prior to this arrest, **DUMONT** claimed his last name was spelled "Dumond," but he sent an email to a police officer from sanotrah@gmail.com in which he signed the email with the correct spelling of his last name.

CONCLUSION

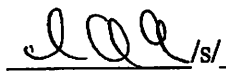
22. Based on the facts set forth in this Affidavit, I submit that there is probable cause to believe that **DUMONT** did conspire to commit wire fraud, in violation of 18 U.S.C. § 1349. I thus respectfully request the issuance of an Arrest Warrant for **MARVIN J. DUMONT**.

Respectfully Submitted,



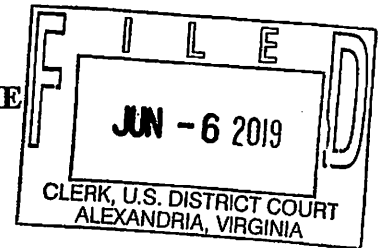
John Bamford
Task Force Officer, Federal Bureau of Investigation

Subscribed and sworn to before me
this 24 day of June, 2019.

/s/
Ivan D. Davis
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

No. 1:19-MJ-262

v.

UNDER SEAL

MARVIN J. DUMONT,

Defendant.

**GOVERNMENT'S MOTION TO SEAL COMPLAINT
PURSUANT TO LOCAL RULE 49(B)**

The United States, by and through undersigned counsel, pursuant to Local Rule 49(B) of the Local Criminal Rules for the United States District Court for the Eastern District of Virginia, asks for an Order to Seal the complaint and affidavit in support of the complaint, until the defendant is arrested.

I. REASONS FOR SEALING (Local Rule 49(B)(1))

1. The Federal Bureau of Investigation is investigating a criminal conspiracy by which individuals are enriching themselves by obtaining and using stolen payment card information. The conduct under investigation concerns, among other criminal violations, 18 U.S.C. § 1349 (Conspiracy to Commit Wire Fraud).

2. Premature disclosure of the charges against the defendant would jeopardize an ongoing criminal investigation threatening our ability to locate and arrest the defendant, jeopardize the defendant's ability to cooperate in the investigation, and may lead to the destruction of evidence. In addition, disclosure of the complaint and affidavit in support of the complaint would provide the defendant and others with a roadmap of the ongoing criminal

investigation, including the identity of agents and potential witnesses involved.

II. REFERENCES TO GOVERNING CASE LAW (Local Rule 49(B)(2))

3. The Court has the inherent power to seal complaints and affidavit in support of complaints. *See United States v. Wuagnewx*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); *see also Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975). "The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests." *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984). Sealing the complaint and affidavit in support of the complaint is appropriate where there is a substantial probability that the release of the sealed documents would compromise the government's on-going investigation severely. *See e.g., In re Search Warrant for Secretarial Area Outside Office of Gunn*, 855 F.2d 569, 574 (8th Cir. 1988); *Matter of Eye Care Physicians of America*, 100 F.3d 514, 518 (7th Cir. 1996); *Matter of Flower Aviation of Kansas, Inc.*, 789 F.Supp. 366 (D. Kan. 1992).

III. PERIOD OF TIME GOVERNMENT SEEKS TO HAVE MATTER REMAIN UNDER SEAL (Local Rule 49(B)(3))

4. The complaint and affidavit in support of the complaint would need to remain sealed until the defendant is arrested.

5. Upon occurrence of the event specified in paragraph 4, pursuant to Local Rule 49(B)(3), the sealed materials will be automatically unsealed and handled as such.

6. The United States has considered alternatives less drastic than sealing and has found none that would suffice to protect this investigation. The United States will move to unseal the documents before they are set to become automatically unsealed if it determines that

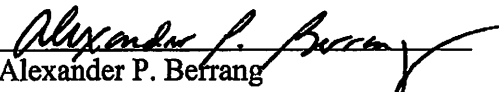
circumstances warrant such action.

WHEREFORE, the United States respectfully requests that the complaint and affidavit in support of the complaint and this Motion to Seal and proposed Order be sealed until the defendant is arrested.

Respectfully submitted,

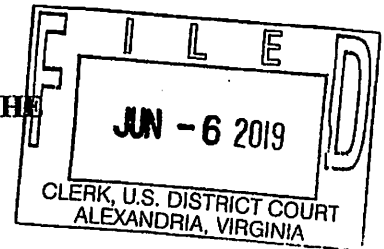
G. Zachary Terwilliger
United States Attorney

By:


Alexander P. Befrang
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

No. 1:19-MJ-262

v.

UNDER SEAL

MARVIN J. DUMONT,

Defendant.

ORDER TO SEAL

The UNITED STATES, pursuant to Local Rule 49(B) of the Local Criminal Rules for the United States District Court for the Eastern District of Virginia, having moved to seal the complaint and affidavit in support of the complaint, the Motion to Seal, and proposed Order in this matter; and

The COURT, having found that revealing the material sought to be sealed would jeopardize an ongoing criminal investigation; having considered the available alternatives that are less drastic than sealing, and finding none would suffice to protect the government's legitimate interest in concluding the investigation; and finding that this legitimate government interest outweighs at this time any interest in the disclosure of the material; it is hereby

ORDERED, ADJUDGED, and DECREED that, the complaint and affidavit in support of the complaint, Motion to Seal, and this Order be Sealed until the defendant is arrested.

Date: 6 Jun 19
Alexandria, Virginia

Ivan D. Davis /s/
Ivan D. Davis
United States Magistrate Judge

Criminal Case Cover Sheet

FILED: UNDER SEAL (E-GOVT ACT)

U.S. District Court**Place of Offense:**☒ Under Seal**Judge Assigned:**

City: Arlington

Superseding Indictment:

Criminal No.

County: Arlington

Same Defendant:

New Defendant:

Magistrate Judge Case No. 1:19-MJ-262

Arraignment Date:

Search Warrant Case No.

R. 20/R. 40 From:

Defendant Information:**Defendant Name:** Marvin J. Dumont

Alias(es):

☐ Juvenile FBI No.**Address:**

19134 115th Avenue, St. Albans, Queens, NY

Employment:**Birth Date:** 01/24/1985**SSN:****Sex:**

Male

Race:**Nationality:****Place of Birth:****Height:****Weight:****Hair:****Eyes:****Scars/Tattoos:**☐ **Interpreter Language/Dialect:****Auto Description:****Location/Status:****Arrest Date:**☐ Already in Federal Custody as of:

in:

☐ Already in State Custody☐ On Pretrial Release☒ Not in Custody☒ Arrest Warrant Requested☐ Fugitive☐ Summons Requested☐ Arrest Warrant Pending☐ Detention Sought☐ Bond**Defense Counsel Information:****Name:**☐ Court Appointed**Counsel Conflicts:****Address:**☐ Retained**Phone:**☐ Public Defender☐ Federal Public Conflicted Out**U.S. Attorney Information:****AUSA(s):** Alexander P. Berrang, AUSA/Laura Fong, AUSA**Phone:** 703-299-3769/703-299-3769**Bar No.****Complainant Agency - Address & Phone No. or Person & Title:**

TFO John Bamford, FBI

U.S.C. Citations:**Code/Section****Offense Charged****Count(s)****Capital/Felony/Misd./Petty**

Set 1: 18 U.S.C. § 1349

Conspiracy to Commit Wire Fraud

1

Felony

Set 2:

Date:

June 4, 2019

AUSA Signature:*Alexander P. Berrang*

may be continued on reverse

Criminal Case Cover Sheet

FILED:

Redacted**U.S. District Court****Place of Offense:**☒ Under Seal**Judge Assigned:**City: ArlingtonSuperseding Indictment: **Criminal No.**County: ArlingtonSame Defendant: New Defendant: XMagistrate Judge Case No. 1:19-MJ-262**Arraignment Date:**Search Warrant Case No. R. 20/R. 40 From: **Defendant Information:****Defendant Name:** Marvin J. DumontAlias(es): ☐ Juvenile FBI No. **Address:**Queens, NY**Employment:****Birth Date:** XX/XX/1985**SSN:** **Sex:**Male**Race:** **Nationality:** **Place of Birth:** **Height:** **Weight:** **Hair:** **Eyes:** **Scars/Tattoos:** ☐ **Interpreter Language/Dialect:** **Auto Description:** **Location/Status:****Arrest Date:** ☐ Already in Federal Custody as of: in: ☐ Already in State Custody☐ On Pretrial Release☒ Not in Custody☒ Arrest Warrant Requested☐ Fugitive☐ Summons Requested☐ Arrest Warrant Pending☐ Detention Sought☐ Bond **Defense Counsel Information:****Name:** ☐ Court Appointed**Counsel Conflicts:** **Address:** ☐ Retained **Phone:** ☐ Public Defender☐ Federal Public Conflicted Out**U.S. Attorney Information:****AUSA(s):** Alexander P. Berrang, AUSA/Laura Fong, AUSA**Phone:** 703-299-3700**Bar No.** **Complainant Agency - Address & Phone No. or Person & Title:**TFO John Bamford, FBI**U.S.C. Citations:****Code/Section****Offense Charged****Count(s)****Capital/Felony/Misd./Petty**Set 1: 18 U.S.C. § 1349Conspiracy to Commit Wire Fraud1FelonySet 2: **Date:**June 4, 2019**AUSA Signature:**Alexander P. Berrang

may be continued on reverse